

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**JENNIFER PORTER**

**PLAINTIFF**

**V.**

**CASE NO. 1:19cv65-GHD-DAS**

**STEEL DYNAMICS COLUMBUS, LLC**

**DEFENDANT**

**NOTICE OF REMOVAL**

COMES NOW, Steel Dynamics Columbus, LLC (“Steel Dynamics”), and files this its Notice of Removal from the Circuit Court of Lowndes County, Mississippi, to the United States District Court for the Northern District of Mississippi, Aberdeen Division, and in support thereof would state the following:

**THE COURT HAS FEDERAL-QUESTION JURISDICTION  
PURSUANT TO 28 U.S.C. § 1331**

1. The Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, and, therefore, this action is removable pursuant to 28 U.S.C. § 1441 and 1446.
2. On March 1, 2019, Plaintiff Jennifer Porter served Defendant Steel Dynamics with a Complaint that was filed on January 22, 2019 in the Circuit Court of Lowndes County, Mississippi.
3. Plaintiff’s Complaint purports to assert a claim under the Family Medical Leave Act on its face, Plaintiff’s Family-Medical-Leave-Act claim arises under the laws of the United States, and, therefore, this Court has federal-question jurisdiction under 28 U.S.C. § 1331. [***See State-Court Complaint (Ex. 1)***].



**THE PROCEDURAL REQUIREMENTS FOR REMOVAL HAVE BEEN SATISFIED**

4. The Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b) in that it is being filed within 30 days of the date on which Steel Dynamics was served, March 1, 2019. **[Id.]**.

5. The Circuit Court of Lowndes County, Mississippi is located within the Northern District of Mississippi, Aberdeen Division.

6. Pursuant to 28 U.S.C. § 1446(a), a complete copy of all process, pleadings, and other papers that have been served upon Steel Dynamics in the State Court proceeding, which as of now includes only the Summons and Complaint, will be electronically filed with the United States District Court for the Northern District of Mississippi, Aberdeen Division. **[Id.]**.

7. Pursuant to 28 U.S.C. § 1446(d), Plaintiff, through her counsel, is being served with a copy of this Notice of Removal; and a copy of this Notice of Removal is being filed with the Circuit Court of Lowndes County, Mississippi.

8. By filing this Notice, Defendant does not waive any defenses that may be available to it, including but not limited to those defenses enumerated in Federal Rule of Civil Procedure 12(b).

**CONCLUSION**

For the foregoing reasons, the Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331, and this action is properly removed to this Court pursuant to 28 U.S.C. §§ 1441 and 1446.

Dated: March 14, 2019.

Respectfully submitted,

**STEEL DYNAMICS COLUMBUS, LLC**

By: /s/ Jacob A. Bradley  
One of Their Attorneys



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**CERTIFICATE OF SERVICE**

The undersigned certifies that he has this day filed this pleading with the Clerk of the Court, through the Court's ECF system, which provided a copy to all counsel of record.

Dated: March 14, 2019.

/s/ Jacob A. Bradley